IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 21220 of 2004

Between:

K.Rama Chandra, s/o K.Nagappa,
Allugundu, Nallacheruvu Mandal, Anantapur District.

..... PETITIONER

AND

1 The Revenue Divisional officer, Penukonda, Anantapur District.
2 The Mandal Revenue Officer, Nallacheruvu Mandal, Anantapur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in suspending the dealer ship of the petitioner by his proceedings in Rc.No.1388/2004 E dt.16-8-2004 is illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents to restore the F.P.Shop Dealership of the petitioner forthwith.

Counsel for the Petitioner: MR.R.N.HEMENDRANATH REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following ORDER:

The petitioner is the authorised dealer of fair price shop of Allagundu, Nallacheruvu Mandal, Ananthapur District.

This writ petition is filed aggrieved by the order of the first respondent-Revenue Divisional Officer, Penukonda, Anantapur District dated 16-08-2004, where under, the authorisation of the petitioner was suspended pending enquiry into the alleged irregularities in distribution of the essential commodities.

Though the learned counsel for the petitioner raised various contentions stating that all the allegations made against the petitioner are false and without any basis, I am not inclined to express any opinion since the correctness of the allegations is the subject matter of the enquiry pending before the first respondent. The contention that the petitioner was not afforded any opportunity before passing the impugned order is also without any substance since under the impugned order, the authorisation was suspended pending enquiry.

Accordingly, without expressing any opinion on merits, the writ petition is disposed of with a direction to the first respondent to complete the enquiry initiated against the petitioner after affording due opportunity to rebut the allegations and pass

appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of this order. No costs.

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19-11-2004

kdl

To

1 The Revenue Divisional officer, Penukonda, Anantapur District.
2 The Mandal Revenue Officer, Nallacheruvu Mandal, Anantapur District.

3 Two C.Cs. to the Government Pleader for Civil Supplies, High Court Buildings, A.P., Hyderabad, (OUT).

4 Two C.D. Copies.